

**FILED****RECEIVED**  
JUL 14 2008

UNITED STATES COURT OF APPEALS

FEB 19 2008

FOR THE NINTH CIRCUIT

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**CLERK U.S. DISTRICT COURT**  
**ANCHORAGE, ALASKA**

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

AARON HICKS,

Defendant - Appellant.

No. 07-30207

D.C. No. CR-93-00002-HRH

District of Alaska,

Anchorage

**ORDER**

Before: WALLACE, LEAVY and RYMER, Circuit Judges.

Appellee's unopposed motion to remand this case to the district court in light of the Supreme Court's decision in *Kimbrough v. United States*, 128 S. Ct. 558 (2007), is granted. We remand for further proceedings consistent with the Supreme Court's opinion in *Kimbrough*.

**REMANDED.**

A TRUE COPY 7/8/08  
ATTEST  
MOLLY C. DWYER  
Clerk of Court  
by R. Roberts  
Deputy Clerk

07-30207 USA v. Hicks

UNITED STATES OF AMERICA  
Plaintiff – Appellee

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v.

AARON HICKS  
Defendant – Appellant

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